

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

CHARLES A. DAVIS,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,
Defendant.

Civil No. 08-1336-JE

ORDER

HAGGERTY, District Judge:

Magistrate Judge Jelderks has issued a Findings and Recommendation [27] in this action. The Magistrate Judge recommended that a judgment should be entered reversing the Commissioner's decision and remanding this case for further proceedings. No objections were filed, and the case was referred to this court.

The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate. *Campbell v. U.S. Dist. Ct.*, 501 F.2d 196 (9th Cir. 1974).

No clear error appears on the face of the record. This court adopts the Findings and Recommendation and this case is remanded for an award of benefits. On remand, defendant must determine the correct disability onset date.

CONCLUSION

The Findings and Recommendation [27] is adopted and the Commissioner's decision is reversed and remanded for an award of benefits.

IT IS SO ORDERED.

Dated this 28 day of June, 2010.

/s/ Ancer L. Haggerty
Ancer L. Haggerty
United States District Judge